

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 21-cr-66 (JWB/TNL)

Plaintiff,

v.

ORDER

Joynis Perez-Borroto Blanco (3),

Defendant.

This matter comes before the Court on the parties' Joint Motion for Continuance of Deadlines, ECF No. 246. Defendant file a Statement of Reasons, ECF No. 248, in support of the joint motion. The parties ask the Court to continue the pretrial motions filing deadline to April 22, 2024, and the corresponding motions hearing date to on or after May 20, 2024 because counsel for both parties have recently been assigned to this case and they need additional time to review the substantial amount of discovery in this matter. ECF No. 246 at 1. The parties also request the Court to exclude the period of time from the filing of the motion through the new motions hearing date from the Speedy Trial Act computations. *Id.*

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and such continuance is necessary to provide the parties and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources. While the parties request the period from the motion filing (March 11, 2024) up through the new motions hearing date be excluded from the Speedy Trial Act, the parties are

ultimately seeking an extension of the time to file motions. *See* 18 U.S.C. § 3161(h)(7)(A). Accordingly, under the circumstances, the Court finds it appropriate to exclude time up to the new motions filing deadline, namely, April 22, 2024. Therefore, the parties' joint motion is granted in part and denied in part.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The parties' Joint Motion for Continuance of Deadlines, ECF No. 246, is **GRANTED IN PART** and **DENIED IN PART**.

2. The period of time from **March 11, 2024 through April 22, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **April 22, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. **Counsel shall electronically file a letter on or before April 22, 2024, if no motions will be filed and there is no need for a hearing.**

5. All responses to motions shall be filed by **May 6, 2024**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses shall be filed by **May 6, 2024**. D. Minn. LR 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses shall be filed by **May 9, 2024**. D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures, and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **May 21, 2024, at 9:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT, the following trial and trial-related dates are:**

Counsel should submit two hard copies of trial briefs, voir dire, proposed jury instructions, exhibit and witness lists, and trial-related motions (including motions in limine) to District Judge Jerry W. Blackwell's chambers on or before *a date to be determined*. In addition, counsel should email the proposed jury instructions and exhibit and witness lists to: blackwell_chambers@mnd.uscourts.gov.

Judge Blackwell will hold a final pretrial on *a date to be determined* in **Courtroom 3C**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on *a date to be determined* before District Judge Blackwell in **Courtroom 3C**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Blackwell to confirm the new trial date.**

Dated: March 20, 2024

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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